

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
NOVEMBER 19, 2001
6:30 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
Commissioner May Moore, Vice-Chairman
Commissioner David Sandifer
Commissioner Tom B. Rabon, Sr.
Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
Steve Stone, Assistant County Manager
Huey Marshall, County Attorney
Debby Gore, Clerk to the Board
Margie Stephenson, Deputy Clerk
Lithia E. Brooks, Fiscal Operations Director

I. CALL TO ORDER

Chairman Warren called the meeting to order at 6:30 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Sue gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Warren asked if there were any adjustments to the agenda. There were no adjustments made to the agenda.

Commissioner Sandifer moved to approve the agenda. The vote of approval was unanimous.

IV. PUBLIC COMMENTS

Chairman Warren asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda. The following citizens addressed the Board:

Shelia Moore addressed the Board with comments from the November issue of Wildlife Resources Commission magazine regarding "venison alert." Ms. Moore offered information concerning toxoplasmosis; a disease contracted through handling and eating raw deer meat and asked that the Health Department make citizens aware of this disease. Ms. Moore also asked that

This amendment represents the amount awarded for FY 2000-2001 and FY 2001-2002 for the Crisis Housing Program (administered by the Public Housing department), and reclassifies this program into the Special Revenue Fund from the General Fund. The reason this program must be reclassified into the Special Revenue Fund is due to the North Carolina Department of Commerce (NCDOC) adopting the Community Development Block Grant (CDBG) rules for this program (a required accounting rule). County funds are not involved.

D. Council of Government Annual Resolution of Support

1) To approve the Annual Resolution of Support from the Cape Fear Council of Government.

RESOLUTION

WHEREAS, in North Carolina the Council of Governments (COG's), or Lead Regional Organizations, as designated by the NC General Assembly, serve both municipal and County Government, and have established productive working relationships with the cities and counties across the state; and

WHEREAS, in 2001 the NC General Assembly recognized these existing working relationships and the continuing need of local governments for assistance and support through the appropriation of \$990,000 to help each of the eighteen COG's assist local government with activities as deemed appropriate by their area local governments; and

WHEREAS, these funds are stipulated by the NC General Assembly as not intended to be used for payment of member dues or assessments to COG's and will not supplant or replace funds designated for the COG by the member governments; and

WHEREAS, in the event that this resolution is not passed by the local government by June 30, 2002, for release of a portion of these funds to our COG, the available funds will revert to the State's General Fund; and

WHEREAS, in Region O, funds in the amount of \$55,000 will be used to provide technical assistance to local government;

NOW THEREFORE; BE IT RESOLVED, the Board of County Commissioners of Brunswick County requests the release of its share of these funds, in the amount of \$13,643.68, to the Cape Fear Council of Governments at the earliest possible time in accordance with the provisions of State Law.

Witnessed this the 19th day of November 2001.

BRUNSWICK COUNTY COMMISSIONERS

s/Don Warren, Chairman

Attest:

s/Deborah (Debby) Gore, Clerk to the Board

VI. PRESENTATIONS

1) Introduction of Chief Deputy Tony Cummings (Sheriff Ronald Hewett)

Sheriff Hewett introduced Tony Cummings, the new Chief Deputy for Brunswick County. The Sheriff informed the Board of Mr. Cummings recent retirement from the State Bureau of Investigation and welcomed him to Brunswick County.

Chief Deputy Cummings greeted the Board and stated he was very excited about coming to Brunswick County and anticipated good working relations. Deputy Cummings thanked the Board for their continued support.

2) Introduction of new District Conservationist, Eric West

Mr. Eric West greeted the Board stating he looks forward to becoming a part of Brunswick County. Mr. West graduated from NC State and comes from North Hampton County. Mr. West offered his assistance and thanked the Board for their support.

3) Friends of the Green Swamp (Pat Purvis Brown)

Ms. Pat Brown addressed the Board and expressed opposition to the proposed regional landfill in the Green Swamp area at the Columbus/Brunswick County line. Ms. Brown asked the Board to help protect current and future citizens of the County by requesting an Environmental Impact Study from the NC Department of Environment and Natural Resources.

4) Brunswick Environmental Defense League (Roberta Brady)

Ms. Roberta Brady of the Brunswick County Environmental Defense League also opposed the proposed regional landfill. Ms. Brady requested the Board initiate an Environmental Impact Study and gave handouts with a map of the proposed landfill.

VII. ADMINISTRATIVE REPORT

1. Utilities – Award of Construction Contract for Midway Road (Marty Lawing)

Staff recommends approval of the contract with Lonnie Locklear Jr. and Sons for the construction of a 16” water main on Midway Road in the amount of \$1,392,528.00 and project budget amendment in the amount of \$1,078,461.15.

The County Manager explained that the Utility Operations Board recommended a 16” pipe if approved by the Board of Commissioners. Capital Reserve is the source of funding.

Vice-Chairman Moore moved to award the Construction Contract for Midway Road to Lonnie Locklear Jr. and Sons for the construction of a 16-inch water main in the amount of \$1,392,528.00 and project budget amendment in the amount of \$1,078,461.15 and approve the appropriate budget amendment. The vote of approval was unanimous.

2. Award of General and Electrical Contracts for the Northeast Brunswick Regional Wastewater Transmission (Common) Facilities. (Marty Lawing)

Staff recommends approval to award Contract 1 to Thomson & Company in the amount of \$464,197.80.

Staff recommends approval to award Contract 2 to Encompass Electrical in the amount of \$145,324.00.

The County Manager explained that the total of both contracts, \$609,521.80, is significantly less than the estimated cost and the cost for Contract 1 includes an alternate, which is a reduction of \$1,175.00. This alternate provides the County’s preferred flow meters (Panametrics transient time meters) in lieu of magnetic flow meters at the savings indicated.

Commissioner Sue moved to award the General Contract for the Northeast Brunswick Regional Wastewater Transmission Facilities to Thomson & Company in the amount of \$464,197.80 and the Electrical Contracts to Encompass Electrical in the amount of \$145,324.00. The vote of approval was unanimous.

3. Consider approval of a change order for the Northeast Brunswick Regional Wastewater Treatment Plant (Marty Lawing)

Staff recommends approval of Change Order No. 1 for Polymer Feed System and UV Disinfection System.

The County Manager explained that this Change Order includes a “deduct” of \$6,800 for the liquid polymer system and an “increase” of \$10,000 for the Wedeco TAK-55 ultraviolet light disinfection system (low pressure/high intensity) for a net “increase” of \$3,200. Source of funds to cover additional costs associated with this change order is the EDA Grant.

Commissioner Sue moved to approve the Change Order for the Northeast Brunswick Regional Wastewater Treatment Plant. The vote of approval was unanimous.

4. EMS – Equipment for Mapping and Street Address Databases (Marty Lawing)

Staff recommends approval of purchase of the Trimble Pro XRS Lasercraft System.

The County Manager explained that this equipment will allow a personal laptop to maintain in inventory of all hydrants, which can be mapped by GIS utilizing the data collected by this unit and will be helpful in the event that we have to conduct a damage assessment survey. The equipment will also allow 911 to have an accurate database of streets and address names located on mapping software already purchased with the CAD system 8 years ago, but has never been utilized. The equipment is compatible with the County’s current GIS software. Source of funding will be a line item transfer from the telephone line item in the Emergency Telephone Fund.

Commissioner Sue moved to approve the purchase of the Trimble Pro XRS Lasercraft System. The vote of approval was unanimous.

5. CJPP- Electronic Monitoring Units and New Position (Marty Lawing)

Staff recommends approval to lease fifteen (15) additional electronic monitoring units and create a new position to assist the Program Coordinator and provide additional funding for the Substance Abuse Program.

Mr. Lawing explained that in an effort to address the County Jail overcrowding, the Criminal Justice Partnership Program requested funding to lease 15 additional units and an additional position for the remainder of the fiscal year to assist with the monitoring of the individuals. Additionally, due to state budget cuts the CJPP Advisory Board had to reduce funding for their Substance Abuse Program which has proven beneficial by providing treatment services which has reduced recidivism for those completing the program. The three items requested total approximately \$35,000 with the source of funding to be Regular Contingency.

Commissioner Sandifer moved to approve the (15) additional electronic monitoring units, a new position to assist the Program Coordinator and additional funding for the Substance Abuse Program. The vote of approval was unanimous.

6. Solid Waste – Contract with Simmons & Simmons Management, Inc. (Marty Lawing)

Staff recommends approval of Contract with Simmons and Simmons Management, Inc. for grinding and screening debris.

The County Manager recommended offering the contract to Simmons & Simmons Management Inc. because of the two proposals that met the requirements of the RFP, they had the lowest per ton price to grind and screen by a significant amount and offered the option of screening the material, leaving the County the dirt to use as daily cover on the C&D landfill and removing the wood chips from the site.

Funds for grinding and screening have already been approved in the amount of \$100,000 for the FY 2001-2002 budget and no changes are required. Payment is based on actual tonnage.

Commissioner Rabon moved to approve the Contract with Simmons & Simmons Management, Inc. for grinding and screening debris. The vote of approval was unanimous.

VIII. BOARD APPOINTMENTS

1. Volunteer Agricultural Districts Board (5 appointments, Districts 1,2,3,4,5)

The Brunswick Soil and Water Conservation District, NC Cooperative Extension Service, Farm Service Agency Committee and the Brunswick County Farm Bureau recommended four members to be approved by the Board of Commissioners.

Commissioner Sue moved to approve all the nominees selected. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous.

Commissioner Sandifer moved to approve the appointments of the five members of the newly formed Volunteer Agricultural Districts Board. The vote of approval was unanimous.

Brunswick Soil and Water – Ricky Clemmons

Brunswick County Farm Bureau Board - Sam Bellamy

Brunswick County Farm Service Agency – Whitney King

Brunswick County Cooperative Extension Advisory Board – Pearly Vereen

At-Large – Mary Earp

Ex Officio Member – Phil Ricks

2. Board of Health (4 appointments, Districts 1,2,3)

Commissioner Sandifer stated that these expired appointments have all been excellent members with high attendance rates and are willing to continue to serve. Commissioner Sandifer moved to re-appoint Robert E. Hassler, Flint B. King, Harvey Hill and Annette Odom. Commissioner Sue moved to close the nominations. The vote of approval was unanimous. Commissioner Sue moved to approve the reappointments of Hassler, King, Hill and Odom. The vote of approval was unanimous.

The re-appointed members will serve another 3-year term that will expire December 1, 2004.

IX. COUNTY ATTORNEY'S REPORT

1. Deed of Dedication and Affidavit – SeaScape at Holden Plantation

Request approval of Deed of Dedication for water lines at SeaScape Phase I.

Commissioner Sandifer moved to approve the Deed of Dedication and Affidavit for SeaScape. The vote of approval was unanimous.

2. Deed of Dedication and Affidavit – SeaScape at Holden Plantation

Request approval of Deed of Dedication for water lines for The Marina Village at SeaScape.

Commissioner Sandifer moved to approve the Deed of Dedication and Affidavit for The Marina Village at SeaScape. The vote of approval was unanimous.

3. Exclusion from the Fire Fee System

Request adoption of the Resolution excluding Family Cemeteries from the Fire Fee System.

Commissioner Rabon moved to approve the Resolution to exclude Family Cemeteries from the Fire Fee System in Brunswick County. The vote of approval was unanimous.

RESOLUTION

Exclusion from the Fire Fee System

Whereas, the North Carolina General Assembly approved Session Law 1999-323 and Session Law 2001-74, creating and modifying, respectively, the Public Fire Fee System to generate revenue for the safe and continued operation of the various fire departments of Brunswick County, and

Whereas, pursuant to those laws, each fire department prepared a budget of operational and other expenses and submitted said budget with a recommended fee to the Brunswick County Commissioners for the setting of a schedule of fees, and

Whereas, pursuant to those laws, all properties in Brunswick County were classified into one of six separate categories and assigned a corresponding fee determined in accordance with the operation of those Session Laws, and churches, synagogues, mosques, and other places of worship were excluded, and

Whereas, parcels that are principally family or relative cemeteries, used exclusively for burials or reserved space for burials, that are not part of a larger tract with alternative uses, merit exclusion from the fire fee system.

Now therefore, the Brunswick County Commissioners do hereby exclude from the Brunswick County Fire Fee System those parcels that are exclusively family or relative cemeteries, having no other practicable use. This exclusion shall be effective from January 1, 2000.

This the 19th day of November 2001.

s/Donald E. Warren, Chairman
Brunswick County Commissioners

Attest:
s/Deborah S. (Debby) Gore, Clerk to the Board

4. Closed Session

Commissioner Sandifer moved to enter Closed Session at 7:23 p.m. pursuant to NCGS 143-318.11 (a) (3) & (a) (6) potential litigation and personnel issue. The vote of approval was unanimous.

Recess 7:24 p.m. Chairman Warren called a 10-minute recess.

Reconvened 8:19 p.m.

Chairman Warren called the meeting back to order at 8:19 p.m.

Commissioner Sue moved to approve a change in the Personnel Policy #110 Section 4.2(b) to read County Manager instead of County Manager and Assistant County Manager. The vote of approval was unanimous.

Commissioner Rabon moved to authorize the County to purchase liability insurance (Error and Omissions) for all County appointees to the South Brunswick Water and Sewer Authority. Chairman Warren and Commissioner Rabon asked the County Attorney if each County appointee would be covered up to \$1,000,000. The County Attorney stated that was correct. There were no other questions or comments. The vote of approval was unanimous.

The County Attorney stated that no action, other than authorized personnel action, took place in Closed Session.

X. OTHER BUSINESS/INFORMAL DISCUSSION

There was no further business to be discussed.

XI. ADJOURNMENT

Commissioner Sandifer moved to adjourn the Regular Meeting at 8:21 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board